

United States District Court

DEC 23 2019

SOUTHERN

DISTRICT OF
McALLEN DIVISION

TEXAS

David J. Bradley, Clerk

UNITED STATES OF AMERICA

V.

Seny Adonay Sarmiento-Funes

CRIMINAL COMPLAINT

Case Number: M-19- 3144 -M

IAE YOB: 1994
Honduras

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my

knowledge and belief. On or about December 21, 2019 in Hidalgo County, inthe Southern District of Texas

(Track Statutory Language of Offense)

being then and there an alien who had previously been deported from the United States to Honduras in pursuance of law, and thereafter was found near McAllen, Texas, within the Southern District of Texas, the Attorney General of the United States and/or the Secretary of Homeland Security, not theretofore having consented to a reapplication by the defendant for admission into the United States;

in violation of Title 8 United States Code, Section(s) 1326 (Felony)

I further state that I am a(n) Border Patrol Agent and that this complaint is based on the following facts:

Seny Adonay Sarmiento-Funes was encountered by Border Patrol Agents near McAllen, Texas on December 21, 2019. The investigating agent established that the defendant was an undocumented alien and requested record checks. The defendant claims to have illegally entered the United States on December 21, 2019, near Hidalgo, Texas. Record checks revealed the defendant was formally deported/excluded from the United States on July 12, 2017 through Phoenix, Arizona. Prior to deportation/exclusion the defendant was instructed not to return to the United States without permission from the U.S. Attorney General and/or the Secretary of Homeland Security. On June 6, 2017 the defendant was convicted of 8 USC 1326 Reentry of Removed Alien and sentenced to time served and one (1) year supervised release term.

Continued on the attached sheet and made a part of this complaint:

☐ Yes ☒ NoComplaint authorized by AUSA LAURA GARCIA *J. G.*

Signature of Complainant

Sworn to before me and subscribed in my presence,

December 23, 2019

Date

3. K. B. A. m

Jon Chan

Printed Name of Complainant

Perer E. Ormsby

, U.S. Magistrate Judge

Name and Title of Judicial Officer

Signature of Judicial Officer